

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARTIN VELEZ,

Petitioner,

No. CIV S-05-0786 GEB DAD P

vs.

ROSEANE CAMPBELL, et al.,

Respondents.

ORDER

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Petitioner, a state prisoner proceeding pro se, has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. In response to this court's order filed April 26, 2005, petitioner has paid the required filing fee.

Since petitioner may be entitled to relief if the claimed violation of constitutional rights is proved, respondents will be directed to respond to petitioner's habeas petition.

Accordingly, IT IS HEREBY ORDERED that:

1. Respondents are directed to file a response to petitioner's habeas petition within thirty days from the date of this order. See Rule 4, Fed. R. Governing § 2254 Cases. An answer shall be accompanied by all transcripts and other documents relevant to the issues presented in the habeas petition. See Rule 5, Fed. R. Governing § 2254 Cases;

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2. If the response to petitioner's habeas petition is an answer, petitioner's reply, if any, shall be filed and served within thirty days after the answer is served;

3. If the response to petitioner's habeas petition is a motion, petitioner's opposition or statement of non-opposition to the motion shall be filed and served within thirty days after the motion is served, and respondents' reply, if any, shall be filed and served within fifteen days thereafter; and

4. The Clerk of the Court shall serve a copy of this order together with a copy of petitioner's April 21, 2005 petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 upon Jo Graves, Senior Assistant Attorney General.

DATED: May 17, 2005.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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